



MICHAEL R. PENCE, Governor  
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY  
302 West Washington Street  
Indianapolis, IN 46204

## COMMISSION MEETING MINUTES

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 W. Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

August 2, 2016

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice-Chairman Mitchell at 9:03 a.m. on August 2, 2016.

(a) Commissioners present at the Commission meeting:

Ron Brown  
Gregory Furnish  
Kevin Goeden, representing the Commissioner, Department of Labor  
John Hawkins, Chairman  
Todd Hite, representing the Commissioner, Department of Health  
James Jordan  
Matt Mitchell, Vice-Chairman  
Patrick Richard  
Jessica Scheurich  
Craig Von Deylen

(b) Commissioners not present at the Commission meeting:

James Hoch

(c) The following departmental and support staff were present during the meeting:

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer  
Denise Fitzpatrick, Code Specialist  
Todd Stearns, Code Specialist  
Beth Sutor, Secretary



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Chairman Hawkins announced that there were computer issues which would affect the meeting, noting that the applications filed after the 18th had all been given the same number and their attachments had disappeared. Attachments were resubmitted by the proponents, and put into a DropBox program for viewing during the meeting. The agenda was also affected by the computer issues, and would list the variance applications by name and not by a number.

## 2. Old Business

Chairman Hawkins called for any corrections or a motion for approval of the July 6, 2016, minutes. Commissioner Richard moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

## 3. Discussion of proposed 3412.4.4 interpretation

A proposed 3412.4.4 interpretation had been prepared by Commissioner Jordan, and had been posted on-line for the public to read and submit any comments they may have. None had been submitted. Commissioner Von Deylen then moved to adopt with the changes as shown, with the second by Commissioner Brown. It was voted upon and carried.

## 4. Ordinances

Brownsburg Ordinance 2016-14  
Brownsburg, Indiana

Steve Jones, Brownsburg Fire Marshal, spoke as proponent for the ordinance. He stated that it did not conflict with State statute, and allowed them to provide specific items for the safety of their citizens. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

## 5. Variances

### Tabled variances

### A/B variances

16-05-03 3230 E. John Hinkle Place Unit B Windows, Bloomington - *incomplete*

The application was still incomplete. Commissioner Brown moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-02 Alexander Maverick Windows, Bloomington

The variance was no longer incomplete. Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

C/D/NVR variances

16-03-63 Harold Gunn Pavilion, Boonville

No proponent was available for questions. Commissioner Von Deylen moved to deny due to the lack of substantive value of the application. Commissioner Richard made the second. It was voted upon and carried.

16-05-02 Removable Staircase Plastic Chain, Peru - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-05-06 South Deck Cover, Indianapolis - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner von Deylen. It was voted upon and carried.

16-05-07 Regional Mental Health, Hammond - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Mitchell moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-05-76(a)(b)(c)(d)(e)(f)(g) Emerald Acres Wedding Barn, Zionsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The applications had been tabled to allow the proponent time to confirm with the engineer that the building was sound for the intended use, and the possibility of an exterior stair. The proponent provided a statement from the structural engineer that the snow loads were code-compliant. He also stated that the owner would provide a compliant exterior stair, close off the basement, provide code-compliant wiring, and increase fire department access. Commissioner Von Deylen moved to approve (a) and (b) with the condition that the exterior stair be added, wiring made compliant, the occupant load was to be set at 100, the drive was to be widened for the fire department, and the basement was to be closed off. Commissioner Scheurich made the second. It was voted upon and carried. Variance (c) was to allow the use of Chapter 34. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with a vote of 5 to 4. Variance (d) was to allow the use of the mobile restrooms. The county has an ordinance which would limit the use of the temporary restrooms to a period of one year. After acknowledging

possible delays, Commissioner Hite moved to approve with the condition that (d) would be valid for a period of two years from August 2, 2016. Commissioner Von Deylen made the second. It was voted upon and carried with a vote of 6 to 2.

16-06-01 Lincolnshire Place Memory Care Facility, Ft. Wayne

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-06-02 Options for Better Living Housing Options II, Bloomington -- *incomplete*

Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-06-06 4461 Delaware Street Project, Indianapolis

The proponent had submitted the proper signatures, and the application was now complete. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-06-07(a)(b)(c)(d)(e)(f) Wedding Chapel/Worship House, Mooresville

Ed Rensink, RTM Consultants, spoke as proponent. The 2012 facility, located on a working farm, had filed for change of use and had gotten local zoning approval instead of using Chapter 34. Per the Mooresville Zoning Board, they would host fifteen events per year, with a calculated occupant load of 350 persons. The proponent had provided a signed and stamped analysis for the trusses and snow drift issue as requested last month. Variance (a) was to allow the use of a portable toilet trailer since there is no available water nearby. Following discussion, Commissioner Hite moved to approve so long as there is no water available. Commissioner Von Deylen made the second. It was voted upon with 2 nay. Variance (b) was to allow portable heating and cooling equipment to be used. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (c) was to allow the building to not comply with the Energy Code. Variance (d) was to omit a design professional signature and seal on the compliance report. Variance (e) was to omit the vestibule. Following discussion, Commissioner Von Deylen moved to approve (c), (d), and (e), with the second by Commissioner Brown. It was voted upon and carried. Variance (f) was to omit the sprinkler system. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with two nay.

16-06-09 Johnny's Market, Indianapolis

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Hite. It was voted upon and carried.

16-06-39(a)(b) Building Remodel for Venturi, Goshen

The proponent had withdrawn the application.

16-07-01 Chairlift Installation, Newtown – *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-07-52(g) Block 20, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The code requires accessible elevators to be provided with standby power. The request was to omit the standby power. The building will be protected by an NFPA 13 sprinkler system, and should therefore be exempt from areas of refuge per the proponent. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-07-62 Delaware Christian Academy, Muncie

Dr. Michael Baur, Superintendent, spoke as proponent. A monitored fire panel had been installed in the school. During an inspection, the system was cited by the fire department as not being able to monitor ground faults, not having a dual line backup, or a 60-second status check. The proponent explained they were a small school with very limited funds and could not afford to replace the system and requested to allow the existing system to remain. Following discussion, Commissioner Brown moved to approve with the condition that the variance would be valid until August 31, 2018, to allow the proponent time to raise the necessary funds to become compliant. Commissioner Von Deylen made the second. It was voted upon and carried.

16-07-63 NASCAR Carwash, Indianapolis

The proponent had requested the application be tabled. Commissioner Von Deylen moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

16-07-65 Cole Academy Morrison, Muncie

Cynthia Hunter, architect, spoke as proponent. The facility had to be moved to another site, but the plans had not changed, and the request was still to not sprinkler over the gym areas. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-68 1100 Barker, Michigan City

Melissa Tupper, RTM Consultants, spoke as proponent. Also present was owner Matt Rogatz and property manager Ed . The building had been purchased with a sprinkler system which had been non-functional for decades. The local fire department had done an inspection, and said the system needed to be made functional. The system had been disconnected from the water source during the construction of a shopping mall, sections of pipe and standpipes missing to such a degree that it would be an economic hardship to comply. Therefore the request was to remove the sprinkler system. The owner will install heat detectors and a fire alarm system in the occupied portions of the building, expanding into other portions as leased. Following a lengthy discussion, Commissioner Von Deylen moved to approve with the condition that the sprinkler system be removed. Commissioner Mitchell made the second. It was voted upon and carried.

16671 Geiger Tank, Markle – *incomplete*

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16679 Entrance Chair Lift, Cambridge City – *incomplete*

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 11:08a.m. It was called back to order at 11:19 a.m.

### Regular Variance

#### A/B variances

Chairman Hawkins called for any variances in the block vote to be called out. Commissioner Brown called out Days Inn Jasper New Elevator, Jasper, Anderson Trail School, Lagrange, and Pigeon River School, Shipshewana. He then asked for any abstentions. There were none. Commissioner Von Deylen then moved to approve all eligible “A” and “B” variances, with the second by Commissioner Mitchell. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 16-08-07 Skyline Tower, Ft. Wayne
- (2) 16-08-10 Andy Mohr Volkswagen, Avon
- (3) 16-08-11 Tallman Equipment, Columbus

- (4) 16-08-12 Swiss Villa Nursing & Rehabilitation, Vevay
- (5) 16-08-13 Storage Express, Evansville
- (6) 16-08-05(a)(b) Westminster Village North Sycamore Addition, Indianapolis
- (7) 16-08-14(a)(b) Anderson Trail School, Lagrange
- (8) 16-08-15(a)(b) Pigeon River School, Shipshewana
- (9) 16-08-16 CHVH Connector, Indianapolis
- (10) 16-08-17 Deaconess Hospice House, Evansville
- (11) 16-08-18 Save a Lot Food Stores, Indianapolis
- (12) 16-08-19 Save a Lot Food Stores, Lafayette
- (13) 16-08-20 Carmel Park East Parking, Carmel
- (14) 16-08-21 NIEF Renovation & Addition, Michigan City
- (15) 16-08-22 Monroe County Commissioners Garage, Bloomington
- (16) 16-08-23 Chase Tower, South Bend
- (17) 16-08-24 IMS Grandstands Renovation, Speedway
- (18) 16-08-25 Noah's Westside Animal Hospital, Speedway

Variances considered separately

- (19) 16-08-09 Days Inn Jasper New Elevator & Vestibule, Jasper
- (20) 16-08-14(c) Anderson Trail School, Lagrange
- (21) 16-08-15(c) Pigeon River School, Shipshewana(c)

Commissioner Von Deylen moved to approve the variances which had been called out, with the second by Commissioner Scheurich. It was voted upon and carried with one nay.

- (22) Florence Fay Senior Living, Indianapolis

At the request of the proponent, Commissioner Von Deylen moved to table. Commissioner Mitchell made the second. It was voted upon and carried.

#### C/D/NVR

16-08-01 Country Club of Indianapolis Tent, Indianapolis

Randy Gulley, Wayne Twp. Fire Department, gave a verbal acknowledgement of the variance application. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-08-02 Cluckers of Corydon, Corydon - *incomplete*

No proponent was available. Commissioner Mitchell moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-08-26 New Educational Building (School of Architecture), Notre Dame

Andrzej Mordzinski, Stantec, and Bruce Tyson, Fire Chief, spoke as proponents. The request was to allow the use of 15 square feet per person in calculating the occupant load of an 8,910 square foot terrace for the new School of Architecture. The space will be used for table and chair events only such as graduation receptions, which are calculated at 15 sf, and not a standing event which is calculated at 5 sf and which the code would require to be used for determining occupant load. It was noted that the size of enrollment in the School of Architecture would affect the number of attendees at functions, and following the support offered by Chief Tyson, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-27(a)(b) Schaefer Planetarium and Space Object Theater, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request in variance (b) was to allow the door installed in a new wall to create access to the stair to not have the required 12 inches clearance on the hinge side required per ADA for maneuvering. This is a second means of egress from collections storage and a small office/mechanical area, neither of which serve the public. The maximum amount of area available has been taken from the storage area for egress since the racks are built into the wall and cannot be relocated. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (a) was to allow the new stair vestibule to omit sprinklers. The collections area was granted variance 09-04-56 to omit sprinklers, and a concern that there would be damage done to the items stored in the collections are by a sprinkler activation exists. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-08-58(a)(b)(c) Merchandise and More LLC, Corydon

Christine Collester, RTM Consultants, spoke as proponent. Two houses are being combined to create a candy store. Variance (c) was a request to use Rule 13 for the conversion. Variance (b) was to permit an 84 square foot connector between the two buildings to allow customer movement without going outside. Variance (a) was to allow an addition of 359 square feet to a porch and a new deck of 512 square feet. The second floor of the building will be a teaching / education area for adult classes and school field trips. A fire alarm system is being installed. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16829 PNC Tower, Ft. Wayne

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-28 Wigwam Rehabilitation and Reuse, Anderson

Ed Rensink, RTM Consultants, spoke as proponent. An historic structure, the Wigwam gym, had been built for Anderson High School, which has been vacant since 2011. A project to convert it into a multiple-use facility has been developed, and the building will be evaluated using Chapter 34. The request is to permit overall passing scores for the 1961 gym and 1978 2-story classroom wing. The building will be sprinklered by an NFPA 13 system throughout, with a fire alarm and corridor smoke detection system.



New 2-hour walls will separate the building into 4 separate buildings. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

#### 16-08-29 Project Refresh, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. A meeting room is proposed for the 4<sup>th</sup> floor of the building. An accessory use of an A-3 occupancy above the 2<sup>nd</sup> floor is not permitted by code due to the Type IIB construction type. The building is fully sprinklered, and the room has access to 2 enclosed exit stairs within 80 feet. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

#### 16-08-30 Kokomo Central Middle School Addition-Renovation, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow temporary egress to be provided during the 2016-17 phase of construction. There will be egress signage, revised as work progresses, to direct occupants. Fire drills will be conducted. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 12:00p.m. It was called back to order at 1:20 p.m.

#### 16-08-31(a)(b) Valparaiso High School, Valparaiso

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) had been a request to allow an aisle width to be reduced by 3/8", and had been block-vote eligible. Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was a request to permit the building to be occupied while the sprinkler system is being installed in phases. The building will be fully sprinklered at the end of construction. Commissioner Brown moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

#### 16-08-32(a)(b)(c) Illinois Building Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The existing, 1926 building is being renovated for use as the Intercontinental Hotel. The request is to be allowed to have the replacement atrium smoke control system designed according to the 1980's code of record when the atrium was constructed, instead of the current code. The building will be sprinklered throughout with an NFPA 13 system, with a voice alarm system. The atrium will be enclosed with 1-hour fire barrier/smoke partitions, sprinklered glass openings, and the 2<sup>nd</sup> floor being the only floor entirely open to the atrium. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (b) was to allow the 2 existing historic arched doorways to remain open to the central stair, as well as the second floor having 3 sides of the stair open to the hotel lobby. The first floor lobby has ceiling sprinklers. Commissioner Brown moved to approve the block-vote eligible variance,

with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to allow additional square footage on the eleventh added to create four premium guest suites. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

#### 16-08-33 Metro Building Condos, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the existing scissor, or interlocking stairs, to be considered as two sets of stairs. They are separated by cast-in-place concrete construction, with a 6" concrete wall between the vertical runs of the stair. A gypsum board and metal stud wall separate the 2 stairs at the discharge level. Jim Murua, Ft. Wayne Fire Department, requested that a 2-hour rated joint system be provided, that the stairs be fully sprinklered, 5" fire department connections be put on standpipes, addressable alarm system, directional labels per the lfo on the first floor doors, and evacuation plan to be submitted to the local fire official. Commissioner Mitchell moved to approve with the condition that the requests of the lfo be provided, with the second by Commissioner Brown. It was voted upon and carried.

#### 16-08-34 Township of Posey – Posey Volunteer Fire Department, Elizabeth

Larry Timperman, Michell Timperman Ritz Architects, spoke as proponent. David Bratcher, Posey Volunteer Fire Department Building Committee, also addressed the Commission. Upgrades to the facility have been completed, and the local official, during his inspection, suggested they get a variance for the accessible parking space. They would like to provide a space inside the first bay for the monthly board meetings. Statute says you may provide accessible parking away from the main lot. Following discussion, Commissioner Mitchell moved no variance required, with the second by Commissioner Von Deylen. It was voted upon and carried.

#### 16-08-06 Bradie Shrum Elementary School, Salem

Larry Timperman, Michell Timperman Ritz Architects, spoke as proponent. A FEMA safe room is being constructed, the first in Indiana. The request is to allow temporary egress during construction. A fire watch will be provided during this time. Following discussion, Commissioner Von Deylen moved to approve with the condition that the gravel be replaced with a mud slab. Commissioner Jordan made the second. It was voted upon and carried.

#### 16-08-35 1416 Oxford Street C Store, Ft. Wayne

Matt Kelty, Kelty Tappy Design, spoke as proponent. A convenience store, located in an older neighborhood with limited access for large trucks, will have a canopy over their fueling center with a height of 11 feet 3 inches due to the existing structure's unique W-shaped sections. The tanker access will be away from the canopy, and the canopy shall have warning labels and warning rails at the edge. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-36 Carmuse New Office Building, Gary

Bob Pruitt, Enspect Inc., spoke as proponent. Carmeuse Lime and Stone wished to build a new office building on their existing 66 acre site. While located on Lake Michigan, the facility is 1½ miles from the nearest water main for a fire hydrant, and the request is to omit sprinklers. The building will have 1-hour rated corridors and ground floor windows in all exterior offices. Following a lengthy discussion which included the correction of the requested code site to 507.1, Commissioner Brown moved to approve with the condition that, except for processing plants, no further construction will be allowed on the site until water is available. Commissioner Von Deylen made the second. It was voted upon and carried with one nay.

16900 The Escape Inc, Indianapolis

Ruben Nieto, the branch manager for Escape Indy, spoke as proponent. The request is to allow the ceiling height of a tunnel within room 108b of the facility to be 5'10" instead of a compliant 7' 6". The tunnel is not a part of egress, and is used for entertainment purposes only. There were no plans or pictures provided. It was suggested he table the application and provide the requested information. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-37 CHE Connector, Indianapolis

Rodney McCulloh, RTM Consultants, spoke as proponent. The request was to allow temporary egress for a period of one year during construction of a connector at the Community East Hospital facility. One exit stair discharge and one exterior exit at the lower level will be affected, with an additional twelve exits will be available as well as eight additional exit stairs. The building is fully sprinklered throughout, and Life Safety requirements will be maintained. Following discussion, Commissioner Brown moved to approve with the second by Commissioner Hite. It was voted upon and carried.

16-08-38(a)(b)(c)(d)(e) Anson Senior Living, Zionsville

Roger Manwaring, Vessel Architecture & Design, spoke as proponent. The building is part of a proposed independent and assisted living facility near Whitestown. The building will contain apartments with a separate wing for assisted living and memory care, with these licensed as residential care. Chairman Hawkins asked about the cooking equipment with a hood identified by an ICC-ES listing. The proponent explained that the stove was a residential stove and that the hood, per its ICC-ES listing, had been tested over a domestic appliance used in commercial cooking. It was decided to handle variance (e) which had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. They then returned to variance (d) for further discussion. The stove would be located in the memory care unit, and would be used for cookies, soup or other items which do not serve as full meals. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (c) was to allow the corridors to not comply with the 96" width required. The occupants provide their own furniture for their apartments, and residents are not transported through the hallways on hospital beds which would require the wide hallways. A lengthy discussion as to whether the facility was an I-1 or an I-2 was held, with the proponent explaining their preference that they were an I-1. It was noted that if they were an I-1, they would not need variances a through c. Commissioner Von Deylen moved to table variances a through c to allow the proponent to determine if they were needed, and if not, to withdraw them. Commissioner Richard made the second. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 2:32 p.m. It was called back to order at 2:43 p.m.

16859 CBRE NewInstall 25 Units, Indianapolis

No proponent was present. The request was to allow a video screen, not allowed by code, to be mounted inside each of the 25 elevators. The director of Elevators does not oppose the variance as long as it meets the glass requirements in 2.14.1.8. Commissioner Von Deylen moved to approve with the condition that the monitors must meet the glass requirements. Commissioner Scheurich made the second. It was voted upon and carried.

16-08-04(a)(b) Mon Buddhist Temple, Ft. Wayne

Tim Callas, J&T Consulting, spoke as proponent. Per the tenants of their faith, nothing from the outside world must enter the temple. The request in variance (a) was to omit the required emergency lighting. The building does not have electrical service. Self-illuminating exit signs will be installed in the building which is used once per year for religious ceremonies. Commissioner Mitchell moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (b) was to omit plumbing fixtures. There are buildings within 500 feet which contain plumbing fixtures. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-08-39 DeKalb County Fair Association Horse Barn, Auburn

Tim Callas, J&T Consulting, spoke as proponent. A variance (14-07-18) had been granted to allow 2 years grace until the facility was to be sprinklered. City water has been slow to reach the fairgrounds, and the funds needed to install the sprinkler system have not yet been accumulated. The request is to allow another two years. A fire watch will be provided during events with an occupant load of 300 or more, and a fire alarm system will be installed. Following discussion, Commissioner Von Deylen moved to approve for two years, with the second by Commissioner Scheurich. It was voted upon and carried.

16-08-40 Fireworks Store Remodel, Bluffton

Tim Callas, J&T Consulting, spoke as proponent. An existing mixed-use strip mall of Type VB construction had one unit become a fireworks store and do a change of occupancy to an H-3. An existing 3-hour fire wall separates it and 3 other units from the rest of the mall, with 1-hour separation on both sides of the fireworks store. The request is to add closed space sprinklers along the south 1-hour wall to consider it as a fire wall separation. Following discussion, Commissioner Von Deylen moved to approve with the condition that an asymmetrical 2-hour fire barrier should be provided between space A and B. Commissioner Brown made the second. It was voted upon and carried.

16-08-41 Henry Residence, Indianapolis

No proponent was available for questions. Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-42 Sheriff Training Center, Evansville

William Rector, Evansville-Vanderburgh County Building Authority, spoke as proponent. The request was to omit the accessible ramp to the building. They do not consider this facility a public building. The change of elevation is 7 feet and would require an extraordinarily long ramp. Explaining that the Commission was unable to grant a variance to the Federal Accessibility Code and was granting a variance to the state's Accessibility Code only, Commissioner Scheurich moved to approve with the second by Commissioner Jordan. It was voted upon and carried with one nay vote.

16812 Plant 1, Russiaville

No proponent was available for questions. Commissioner Brown moved to table, with the second by Commissioner Hite. It was voted upon and carried.

16-08-43 BMW Championship, Carmel

David Fox, Western Golf Association, spoke as proponent. The request was to be allowed to use open flame cooking devices in 5 kitchen tents which were over the 400 square foot size restriction, located in five separate locations on the golf course. The Carmel Fire Department will be on site during use. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16959 Muscatatuck Camp, North Vernon

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-44 Sycamore Winery, West Terre Haute

Daniel Sanders, Sanders and Associates, and Daniel Pigg, owner, spoke as proponents. The request was to omit the required sprinklers for the winery and event center. The facility is type V-B construction with an occupant load of 426 persons. The 4" water line available to them will not support a sprinkler system, but the local utility will install a fire hydrant at the entrance to the property. A 2-hour rated wall will separate the event center from the production area, and a fire

alarm will be installed. Following discussion, Commissioner Von Deylen moved to approve with the condition that an additional fire exit be installed wither along the north or south wall of the event center. Commissioner Scheurich made the second. It was voted upon and carried with two nays.

#### 16-08-45(a)(b) Additions and Renovations to Batesville High School, Batesville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) is a request to not rate the newly created corridor. The corridor, renovated area, and addition will be sprinklered, but the existing building is partially sprinklered. Existing 2-hour area separation walls will be maintained. Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (b) was to allow the addition without the code-required independent fire wall between the existing building and the addition. The current code doesn't recognize the existing area separation walls as equivalent to structurally independent fire walls. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

#### 16-08-46(a)(b)(c) Additions and Renovations to Northview High School, Brazil

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to allow only the renovated areas and the two additions to the existing school to be sprinklered. Code would require the entire building to be sprinklered or structurally independent fire walls to be built. Variance (b) was to allow the new addition and existing corridors in the areas of renovations to not be rated. Following discussion, Commissioner Von Deylen moved to approve both (a) and (b), with the second by Commissioner Brown. It was voted upon and carried. Variance (c) was to allow the addition without the code-required independent fire walls. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

#### 16-08-47(a)(b)(c) Additions and Renovations to Clay Jr/Sr High School, Clay City

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow the music room and entry vestibule additions to be put into the existing non-sprinklered building. The additions will be sprinklered as well as the renovated areas. Variance (b) was to allow the new corridor and renovated corridor to not be rated. They will be sprinklered. Variance (c) is to allow the building to omit the structurally independent fire walls as required by code. Commissioner Von Deylen moved to approve (a), (b), and (c), with the second by Commissioner Brown. It was voted upon and carried.

16-08-48 Cummins Indianapolis Distribution Headquarters, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the second exit for a first floor commercial tenant space to cross approximately 20 feet of an adjacent Staging/Loading area which is functioning as a circulation area. It will be provided with yellow striping to ensure it is kept clear of items. Signage will be provided as well. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-08-49(a)(b) North Lockerbie Lofts, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in variance (a) is to allow a full glass door and narrow sidelight to be installed in a 2-hour fire barrier instead of the rated 90-minute assembly required by code. This had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was a request to allow the as-built clearance between opposing counter tops/walls and the face of the kitchen range to be 38½". This is an adaptable unit, and if needed by the tenant, the range will be replaced. Commissioner Brown moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-08-50 IMS Hulman Terrace Renovations, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow doors on the trackside of the suites and club to have locks. The cylinders will be removed during events to prevent the doors from being locked as required by code, but locked otherwise for security reasons. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-51(a)(b) Bell Intermediate Academy, Martinsville

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. These late requests would have qualified for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-08-52(a)(b) IU Wells Quad Goodbody Hall, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow the tv/lounge walls to not be separated from the rated corridor. Commissioner Von Deylen

moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (b) was a request to allow a common path of egress travel of 260 feet for the new basement addition housing the mechanical equipment and kitchen storage. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-53 IU Wells Quad Memorial Hall, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. He noted this variance was the same separation issue as IU Wells Quad Goodbody Hall. Commissioner Brown moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

16-08-54(a)(b) Fishers School Elementary, Fishers

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The elementary school utilizes modular classrooms for their students. The request was to allow this modular classroom unit to be located 5 feet from an imaginary property line of the Type II-A construction building without the code-required 1-hour rating. The unit will be moved within 3 years. Commissioner Von Deylen moved to approve both (a) and (b), with the second by Commissioner Brown. It was voted upon and carried.

16-08-55 Maker 13, Jeffersonville

John Riley, owner, spoke as proponent. The request was to allow an 800 square foot woodworking operation for the hobby-level members of the group without sprinklers. A dust collector system, NFPA 664 compliant, is to be installed. This late application would have been block vote eligible. Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with 1 nay.

16-08-56 Heaven 2 Earth Baptist Church, Ft. Wayne

No proponent was available. Jim Murua, Ft. Wayne Fire Department, spoke, noting he did not object to the variance requesting the fire hydrant to be 425 feet from the building instead of the code-compliant 400 feet. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-08-57 IU Bryan House Addition, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. Jonathan Hess, architect, also appeared. The request was to allow the addition of a sunroom to the Bryan House, traditional home of the President of Indiana University, constructed in 1924, without bringing the entire building up to



current code. The house is used for guests of the current president, fund raisers and social events since 2007 and not as his primary residence due to a lack of space for his large family. A question had been raised if this building was still "residential" and if the sunroom, large enough for up to 80 guests, was now a Class 1 structure. Also appearing was Milan Pece, Fire and Building Code Enforcement. Following a lengthy discussion, and because it was stated 1) the President did not reside there was because the house was not large enough, 2) the only people who attend events held at the house are invited by the President, 3) and it is intended that the next IU President will live there, makes this a Class 2 structure. Commissioner Von Deylen moved No Variance Required, with the second by Commissioner Mitchell. It was voted upon and carried with one nay vote.

#### 16-08-59(a)(b)(c)(d)(e) Wabash Landing Apartments, West Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. This is a new 5-story apartment building. Code requires 2-hour rating from the outside in for Type IIIA construction if they are within five feet of the property line. The request in variance (a) was to omit 1 hour of rating of the south exterior wall and provide only 1-hour from the outside in. The finish will be noncombustible materials, and the building will be protected by an NFPA 13 system. The local fire official had requested the pedestrian walkway by this building be sprinklered. Commissioner Von Deylen moved to approve with the condition that the wall be rated 1-hour from the outside in and that the pedestrian walkway be sprinklered. Commissioner Brown made the second. It was voted upon and carried. Variance (b) was a request to allow the building to have two stories of podium construction. All construction in the podium will be Type I-A. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (c) had been eligible for the block vote. Commissioner Jordan moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (d) was to omit the standby power for the elevator. Provision will be made for a portable generator, and the Fair Housing Act does not require other means of egress from multi-story apartment buildings. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (e) had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

#### 16-08-60 David Turnham Education Center, Dale

Ed Rensink, RTM Consultants, spoke as proponent. The request was for temporary egress during construction. They would like to direct the second exit from the gym through the music room to access the corridor. Following discussion, Commissioner Brown moved to approve until January 31, 2017. Commissioner Von Deylen made the second. It was voted upon and carried.

#### 6. Discussion of Variance 16-06-60 Vincennes University Mock Mining Facility

Ed Rensink, RTM Consultants and proponent for the variance when originally presented, addressed the Commission with a request to revisit their condition attached to the variance approval. The school had been asked to allow the local police to use the facility as a training site, but the condition had restricted the use to students of the school's program. Following a brief discussion, it was agreed that the variance would stand as passed, and that to change it would require the variance to be refiled.

#### 7. Discussion of Variance 16-03-30 Elkhart County Juvenile Detention

Melissa Tupper, RTM Consultants, spoke as the proponent in the original presentation. Ms. Tupper stated that she had made a verbal change to the application during the presentation and wished to have the condition amended to reflect it. No recording of the verbal change was available, nor found in the minutes. Following a brief discussion, it was agreed that the variance would stand as passed, and that to change it would require the variance to be refiled.

#### 8. Discussion of the timely filed appeals procedure

Jonathan Whitham, General Counsel for IDHS, addressed the Commission. He suggested that, in an effort to streamline the appeals system, the appeals which are timely filed be moved on to the ALJ for handling without first appearing before the Commission. Following discussion, it was agreed to change the procedure.

#### 9. Comments

Vice-Chairman Mitchell reported that the next meeting of the Fire Protection Ordinance template meeting would be August 5, 2016. Rule 7 was being worked on by both Jim Schmidt looking at the language and John Hawkins looking at the OMB matters. The question of the Oracle failure was brought up, and Director Kane appeared before the Commission to explain the steps being taken to correct issues.

#### 10. Adjournment

Calling for further business and hearing none, Chairman Hawkins then closed the meeting at 4:43 p.m.

Approved: \_\_\_\_\_  
John Hawkins, Chairman